

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

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NICHOLAS MCKEE, Individually and on	:	
Behalf of All Other Persons Similarly Situated,	:	NO. 1:12-cv-01117-SLR-MPT
	:	
Plaintiffs,	:	
	:	
-against-	:	<b><u>JURY TRIAL DEMANDED</u></b>
	:	
PETSMART, INC.,	:	
	:	
Defendant.	:	
-----X		

**[PROPOSED]**  
**ORDER GRANTING PLAINTIFFS' MOTION FOR**  
**CONDITIONAL CERTIFICATION**

On this \_\_ day of \_\_\_\_\_ 2013, the Court having considered Plaintiffs' Motion for Conditional Certification pursuant to Section 16(b) of the Fair Labor Standards Act of 1938, 29 U.S.C. § 216(b), and having considered said motion and the accompanying papers in support thereof, any responses and replies, the arguments of counsel, and all related evidence, hereby

GRANTS Plaintiffs' Motion for Conditional Certification, and it is

THEREFORE, ORDERED, ADJUDGED, AND DECREED that a collective action consisting of current and former operations managers employed by PetSmart, Inc. ("PetSmart" or "Defendants"), at any time since September 10, 2009, to the entry of judgment in this case, is hereby certified,

And IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, within 14 days of the effective date of this order, Defendants are directed to produce to Plaintiffs' counsel a list, in electronic format, of all persons employed by PetSmart in the United States as operations managers dating back three years from the date of this order to the present, including: name,

address, telephone number, social security number, dates of employment, location of employment, and employee number, if any, and date of birth.

And IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, within 14 days of the effective date of this order, the parties are ordered to meet and confer and report back to the Court as to a form of notice and to provide the same to the Court and, if they disagree, each side is to provide their proposed order to the Court with no more than a three-page letter explaining that party's position as to any disputed issues.

Date: \_\_\_\_\_

\_\_\_\_\_  
**Sue L Robinson**  
**United States District Judge**